



United States
Department of
Agriculture

Forest
Service

Manti-La Sal
National Forest

mpete Ranger District
540 North Main Street
Ephraim, UT 84627
Phone # (435) 283-4151
Fax # (435) 283-5616

File Code: 2810

Date: November 12, 2003

m/023/023

**m/023/016*

Tony Christofferson
Property/Environmental Manager
H.E. Davis Construction Inc.
525 West Arrowhead Trail
Spanish Fork, UT 84639

Dear Mr. Christofferson:

An inspection was conducted of both the Levan Gypsum Mine and the Henry Gypsum Mine on October 30, 2003. See attached photos. Both mines are not in compliance with the Plan of Operations and are in clear violation of the Clean Water Act. Violations are summarized below.

Henry Gypsum Mine

The large tank (apparently diesel) present at the Henry mine is leaking fuel on the soil immediately surrounding the tank and down slope. This is in violation of the Clean Water Act. In addition, according to item (G.) and (H.) on page 6 of the Plan of Operations there should be no hazardous substances used or stored on site. If this is a necessary part of your operations, you will need to revise your Plan of Operations with consideration regarding handling, storage, containment, security, and identification of the substance.

You are required to remove this tank immediately and completely remove and properly dispose all contaminated soils from FS land. Failure to comply could result in suspension of operations.

Levan Gypsum Mine

Two 55-gallon drums containing an unidentified substance were found. Again, this is in violation of the Clean Water Act and in violation of the Plan of Operations.

You are required to remove the barrels immediately or face the possibility of an immediate suspension of operations on National Forest system lands.

RECEIVED

DEC 11 2003

DIV. OF OIL, GAS & MINING



Caring for the Land and Serving People

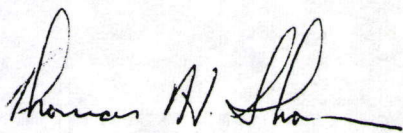
Printed on Recycled Paper



A follow-up inspection will be conducted December 1, 2003. The tanks, barrels and contaminated soils must be removed before this time.

Thank you for your cooperation in this matter. If you have any questions please feel free to contact Joel Nowak of the Sanpete Ranger District at (435) 283-4151.

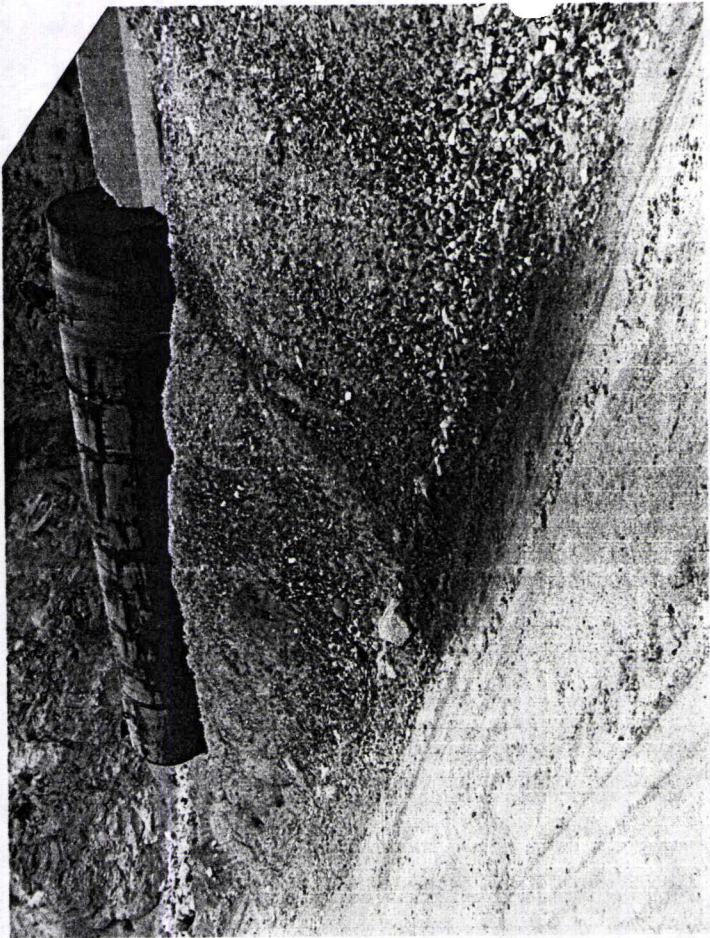
Sincerely,

A handwritten signature in black ink, appearing to read "Thomas H. Shore", with a long horizontal flourish extending to the right.

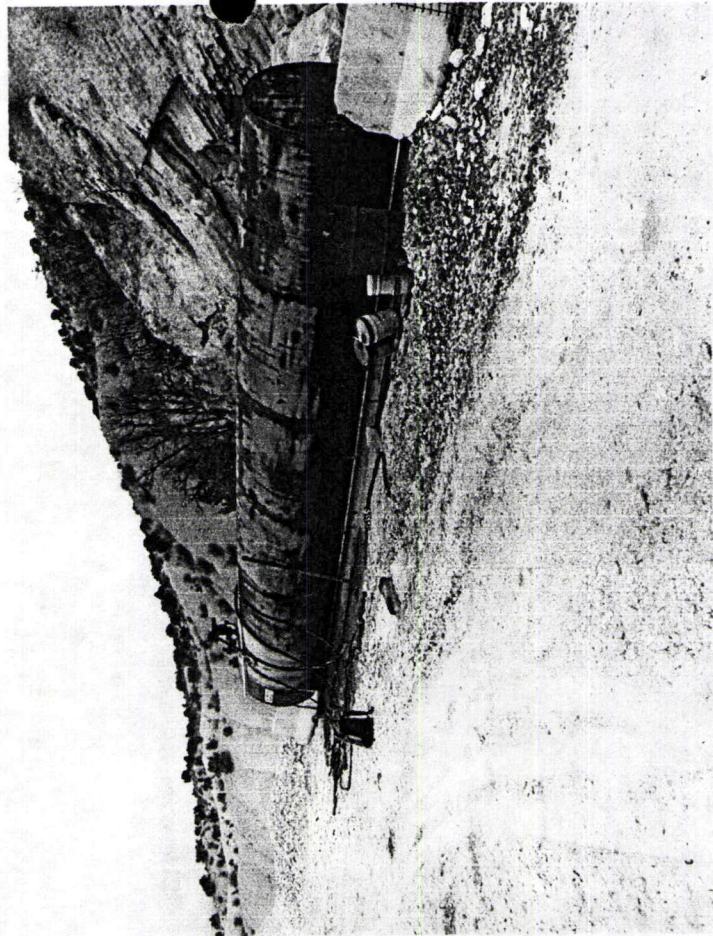
THOMAS H. SHORE
District Ranger

Enclosure

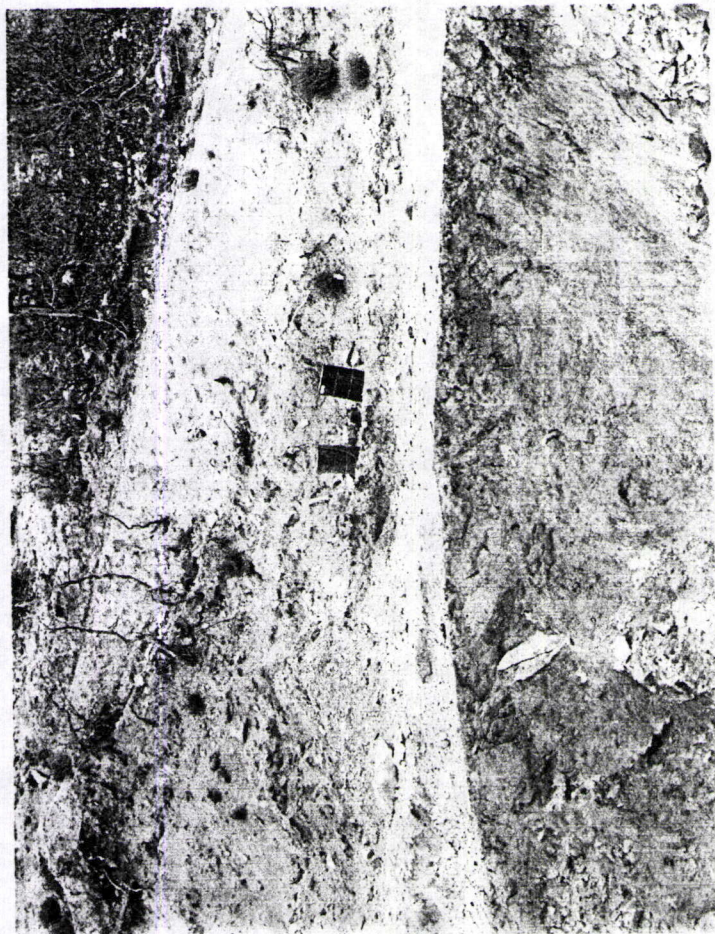
cc: Tom Munsen, Utah Division of Oil, Gas, and Mining
Roger Fosie, Department of Environmental Quality



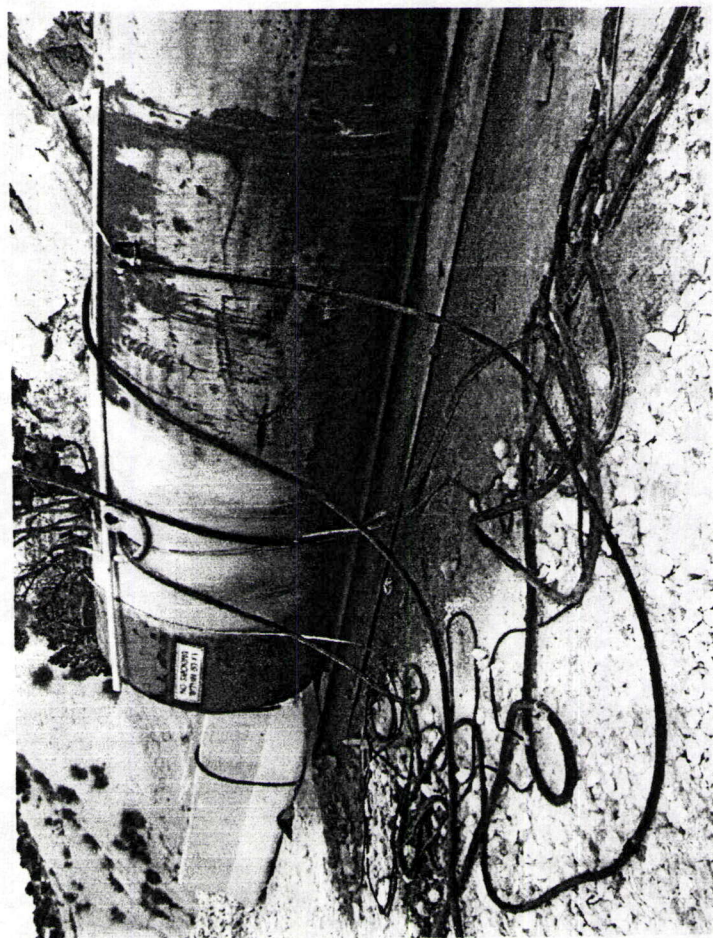
Henry Gypsum68.JPG
10/30/2003



Henry Gypsum41.JPG



Levan Gypsum52.JPG
10/30/2003



Henry Gypsum40small.JPG